

PHILLIP A. TALBERT
United States Attorney
DAVID L. GAPP
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER JOSE CONTRERAS,

Defendant.

CASE NO. 1:21-CR-00159-JLT-SKO

STIPULATION SETTING TRIAL DATE AND
EXCLUDABLE TIME PERIODS UNDER SPEEDY
TRIAL ACT; ORDER

TRIAL DATE: December 12, 2023
TIME: 8:30 a.m.
COURT: Hon. Jennifer L. Thurston

This case is scheduled for a status conference on September 6, 2023. The parties hope to resolve the case by plea agreement, but meanwhile, at the court's direction, request that a trial be scheduled to start on December 12 2023, at 8:30 a.m.

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, accordingly, stipulate as follows:

1. The parties agree that the court should schedule a trial to begin December 12, 2023, and to exclude time between September 6, 2023, and December 12, 2023, under 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i), (ii) and (iv). The parties stipulate, and request that the court find the following:

a) Counsel for defendant desires additional time to consult with his client, to review the current charges and conclude an investigation and research related to the charges, to discuss potential resolutions with his client, and to evaluate and potentially prepare pretrial motions.

b) Counsel for defendant believes that failure to grant the above-requested

continuanace would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

c) The government does not object to the continuance and joins in the request.

d) Based on the above-stated findings, the ends of justice are served by continuing the case as requested and outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of September 6, 2023, to December 12, 2023, inclusive, is deemed excludable under 18 U.S.C. § 3161(h)(7)(A), and (B)(iv), because it results from a continuance granted by the court at defendant's request on the basis of the court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

2. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

3. The parties also request that the court schedule a trial confirmation hearing for November 27, 2023.

IT IS SO STIPULATED.

Dated: September 5, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ David Gappa
DAVID L. GAPPA
Assistant United States Attorney

Dated: September 5, 2023

/s/ PATRICK AGUIRRE
PATRICK AGUIRRE
Counsel for Defendant
CHRISTOPHER JOSE CONTRERAS

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER JOSE CONTRERAS,

Defendant.

CASE NO. 1:21-CR-00159-NONE-SKO

ORDER

DATE: December 12, 2023

TIME: 8:30. a.m.

COURT: Hon. Jennifer L. Thurston

ORDER

The Court has reviewed and considered the stipulation filed by the parties on September 5, 2023, and also reviewed the record of this case. The case is set for a trial to begin on December 12, 2023, at 8:30 a.m. before Judge Jennifer L. Thurston. For the reasons stated in the stipulation the period of time from September 6, 2023, through December 12, 2023, is deemed excludable under 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i), (ii) and (iv) because it results from a continuance granted by the Court at the request of the parties on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. There will be a trial confirmation hearing on November 27, 2023, at 10:00 a.m. The status conference scheduled for September 6, 2023, at 1:00 p.m. is vacated.

IT IS SO ORDERED.

DATED: 9/5/2023

Sheila K. Oberto

THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE